

REMARKS

The Office Action objects to the drawings. The Examiner states that the drawings must show every feature of the invention specified in the claims. Applicants have cancelled claims 54-73, which renders the objection moot. New claims 74-89 are believed to be properly supported by the drawings in accordance with 37 C.F.R. 1.83.

The Office Action rejects claims 54-66 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have cancelled claims 54-66, which renders the 112 rejection moot. New claims 74-89 are believed to be in compliance with 35 U.S.C. 112, second paragraph.

The Office Action rejects claims 54-56, 58-62, 64-69, and 71-73 under 35 U.S.C. 103(a) as being unpatentable over US patent 6463694 (Manciet) in view of US patent 2862765 (Wing), US patent 4862931 (Vella), and US patent 2749180 (Andrews). The Office Action rejects claims 57, 63, and 70 under 35 U.S.C. 103(a) as being unpatentable over Manciet in view of Wing, Vella, Andrews, and US patent 4175703 (Valiant). Applicants have cancelled claims 54-73, which renders the above 103 rejections moot.

Applicants have added new claims 74-89.

With respect to new claim 74, Applicants submit that none of the prior art references of record teach or suggest at least a yard in an exposed area adjacent to the residential home including a fence, gate, shrub, tree, swimming pool, patio, garden, grass areas, play area, and concrete pad. The prior art does not show a hollow tubing disposed around each of a

plurality of target areas in the yard including the fence, shrub, tree, garden, and grass area. The prior art does not show tubing having a plurality of openings cut through its wall structure at selected points in accordance with government regulations and manufacturer's recommendations and corresponding to each of the plurality of target areas. The prior art does not show first and second junction boxes disposed below ground in a front area of the residential home. The prior art does not show a first pressure regulator connected to the tubing within the first junction box for regulating pressure of the chemical solution. The prior art does not show a first hook-up port disposed within the first junction box and having an output connected to a first end of the tubing, wherein the first hook-up port includes a lever arm which lays horizontal within the junction box when not in use and rotates ninety degrees to a vertical position so that a fitting on an end of the lever arm extends above ground when connected to the hose from the truck. The prior art does not show a second hook-up port disposed within the second junction box and having an output connected to a second end of the tubing, wherein the second hook-up port includes a lever arm which lays horizontal within the junction box when not in use and rotates ninety degrees to a vertical position so that a fitting on an end of the lever arm extends above ground when connected to the hose from the truck. The prior art does not disclose that the first and second hook-up ports form a closed system to equalize pressure and distribution of the chemical solution. The prior art does not show a second pressure regulator coupled in a portion of the tubing which is located in a rear portion of the yard for regulating pressure of the chemical solution. The prior art does not show a booster

pump coupled in a portion of the tubing which is located in the rear portion of the yard for increasing the pressure of the chemical solution.

Accordingly, new claim 74 is believed to patentably distinguish over the prior art references of record. Claims 75-77 are believed to be in condition for allowance as each is dependent from an allowable base claim.

With respect to new claim 78, Applicants submit that none of the prior art references of record teach or suggest at least a hollow tubing disposed around each of a plurality of target areas within the yard. The prior art does not show tubing having a plurality of openings cut through a first portion of its wall structure in accordance with government regulations and manufacturer's recommendations and a plurality of pre-drilled openings formed in a second portion of the tubing. The prior art does not show first and second junction boxes disposed below ground in a front area of the residential home. The prior art does not show a first pressure regulator connected to the tubing within the first junction box for regulating pressure of the chemical solution. The prior art does not show a first hook-up port disposed within the first junction box and having an output connected to a first end of the tubing, wherein the first hook-up port includes a lever arm which lays horizontal within the junction box when not in use and rotates ninety degrees to a vertical position so that a fitting on an end of the lever arm extends above ground when connected for receiving the chemical solution. The prior art does not show a second hook-up port disposed within the second junction box and having an output connected to a second end of the tubing, wherein the second hook-up port includes a lever arm which lays horizontal within

the junction box when not in use and rotates ninety degrees to a vertical position so that a fitting on an end of the lever arm extends above ground when connected for receiving the chemical solution. The prior art does not disclose that the first and second hook-up ports form a closed system to equalize pressure and distribution of the chemical solution. The prior art does not show a second pressure regulator coupled in a portion of the tubing which is located a rear portion of the yard for regulating pressure of the chemical solution. The prior art does not show a booster pump coupled in a portion of the tubing which is located in the rear portion of the yard for increasing the pressure of the chemical solution.

Accordingly, new claim 78 is believed to patentably distinguish over the prior art references of record. Claims 79-83 are believed to be in condition for allowance as each is dependent from an allowable base claim.

With respect to new claim 84, Applicants submit that none of the prior art references of record teach or suggest at least a hollow tubing disposed around each of a plurality of target areas within the exposed area and having a plurality of openings cut through a first portion of its wall structure in accordance with government regulations and manufacturer's recommendations and a plurality of pre-drilled openings formed in a second portion of the tubing. The prior art does not show a first junction box disposed below ground in a front area of the dwelling with a first pressure regulator connected to the tubing within the first junction box for regulating pressure of the chemical solution. The prior art does not show a first hook-up port disposed within the first junction box and having an output connected to a first end of the tubing, wherein the first hook-

up port includes a lever arm which lays horizontal within the junction box when not in use and rotates ninety degrees to a vertical position so that a fitting on an end of the lever arm extends above ground when coupled for receiving the chemical solution. The prior art does not show a second pressure regulator coupled in a portion of the tubing which is located in a rear portion of the yard for regulating pressure of the chemical solution. The prior art does not show a booster pump coupled in a portion of the tubing which is located in the rear portion of the yard for increasing the pressure of the chemical solution.

Accordingly, new claim 84 is believed to patentably distinguish over the prior art references of record. Claims 85-89 are believed to be in condition for allowance as each is dependent from an allowable base claim.

Applicants believe that all information and requirements for the application have been provided to the USPTO. If there are matters that can be discussed by telephone to further the prosecution of the Application, Applicants invite the Examiner to call the undersigned attorney at the Examiner's convenience.

USPTO Serial Number: 10/783,169
Shane D. Pannell et al.
Response to Office Action dated January 30, 2007

The Commissioner is hereby authorized to charge any fees
due with this Response to U.S. PTO Account No. 17-0055.

Respectfully submitted,
QUARLES & BRADY LLP

April 25, 2007

By: 

Robert D. Atkins
Reg. No. 34,288

Address all correspondence to:

Robert D. Atkins

Quarles & Brady LLP
One Renaissance Square
Two North Central Avenue
Phoenix, AZ 85004
Telephone: (602) 229-5290
Facsimile: (602) 229-5690
E-mail: rda@quarles.com